

REQUEST FOR PROPOSALS
ACQ-2009-0530-RFP
AMENDMENT 7 - Revised
July 22, 2009

This is an amendment to Request for Proposal (RFP) ACQ-2009-0530-RFP issued by the Washington State Department of Transportation for the Toll Collection System, and as amended by Amendment 1 dated June 18, 2009, Amendment 2 dated June 22, 2009, Amendment 3 dated June 22, 2009, Amendment 4 dated June 29, 2009, Amendment 5 dated July 2, 2009, and Amendment 6 dated July 9, 2009.

This RFP is amended as follows:

- a) **RFP Section 2.21 – Schedule of Procurement Activities** – Replace in its entirety *Table 1. RFP Procurement Schedule* in Section 2.1 of the RFP with the following table:

Table 1 – RFP Procurement Schedule

Activity	Due Date	Time*
TCS RFP Released	June 15, 2009	N/A
RSVP for Pre-Proposal Meeting/520 Field Visit	June 17, 2009	5:00 PM
Pre-Proposal Meeting/520 Field Visit (Optional)	June 20, 2009	1:00 PM
Letter of Intent to Propose Due (Mandatory)	June 29, 2009	5:00 PM
1 st Round Written Questions Due	July 20, 2009	5:00 PM
1 st Round Answers to Questions Issued	July 31, 2009	N/A
2 nd Round Written Questions Due	August 7, 2009	5:00 PM
2 nd Round Answers to Questions Issued	August 21, 2009	N/A
OCOI Certification & Plan (see Appendix 20)	July 31, 2009	5:00 PM
Proposals Due	September 15, 2009	5:00 PM
Vendor Short-list Issued (at WSDOT's discretion)	September 28, 2009	N/A
Interviews	October 12-16, 2009	N/A
Notification of Apparently Successful Vendor Issued	On or before November 6, 2009	N/A
Execute Contract	On or before December 11, 2009	N/A

*Times are Pacific time.

- b) **RFP Section 2.30 – Organizational Conflict of Interest** – Add a new Section 2.30 to the RFP as follows:

2.30 Organizational Conflicts of Interest

The Vendor shall complete the Organizational Conflict of Interest process outlined below and submit a completed Appendix 20 - Organizational Conflict of Interest Certification, Disclosure and Avoidance/Neutralization Plan (“OCOI Certification & Plan”) to the address specified in Section 2.2 of this RFP no later than the date and time listed in Table 1 of the RFP. The Vendor may submit the OCOI Certification & Plan by U.S. Postal Service, fax or e-mail.

Organizational conflicts of interest (OCOI) shall mean that because of other existing or past activities or relationships a person or entity including a Vendor, subcontractor or consultant:

- i. is unable or potentially unable to render impartial assistance or advice to WSDOT;
or
- ii. is or might be otherwise impaired in its objectivity in performing the contract work; or
- iii. has or appears to have an unfair competitive advantage.

The Vendor has sole responsibility to avoid or neutralize Organizational Conflicts of Interest (OCOI) on the CSC procurement and implementation and shall complete the following process:

- a. **Vendor Review.** As soon as possible, the Vendor shall conduct an internal review of its current affiliations and shall require its intended team members to conduct a review in order to identify any potential, real, or perceived OCOI relative to this procurement as described in the **WSDOT's Organizational Conflicts of Interest Manual M 3043.01**.
- b. The Vendor shall complete and submit **Appendix 20 - Organizational Conflict of Interest Certification, Disclosure and Avoidance/Neutralization Plan** ("OCOI Certification & Plan") describing the potential OCOI and, if needed, the Vendor's approach for avoiding/neutralizing it.
- c. **WSDOT Determination.** If the Vendor submits an OCOI Certification & Plan, WSDOT will review and respond within 7 calendar days indicating its concurrence, denial or requested revisions. By its concurrence, WSDOT does not assume any responsibility or liability for a potential, real or perceived OCOI on behalf of the Vendor. WSDOT reserves the right, in its sole discretion, to preclude a Vendor from the RFP process for an OCOI.

- c) **RFP Section 2.31 – Precluded Firms** – Add a new Section 2.31 to the RFP as follows:

2.31 Precluded Firms

WSDOT has retained the following consulting firms to provide guidance in preparing and evaluating the RFP and/or to provide advice on related financial, contractual, and technical matters:

- Jacobs
- IBI Group
- PBS&J
- Dye Management
- Willamette Consulting
- Transportation Innovations
- PRR
- Magner Sanborn
- Cocker Fennessy

Each of these firms is prohibited from joining any Vendor's team or otherwise assisting any Vendor in connection with the RFP procurement process.

- d) **Appendix 2 – Project Description** – Replace Section 9 of the RFP in its entirety with the following:

9. SEQUENCE OF EVENTS AND PAYMENT MILESTONES

Table 1 – Toll Collection System Milestones shows the overall sequence of events expected during the first Segment of Work and the corresponding payment Milestones. The locations in this RFP of individual **Deliverables** (the **Qualifying Events**), identified in **Section 11 – Summary of Major Deliverables Required**.

Table 2 –Toll Collection System Payment Milestones

Milestone	Qualifying Event	Guaranteed Date	Payment Amount
Project Initiation	WSDOT approval of the following: <ul style="list-style-type: none"> ▪ Project Management Plan ▪ Quality Management Plan ▪ Software Development Plan ▪ Project Schedule ▪ Executed Contract Bond ▪ Insurance Certificates 	To be completed by Vendor (shall be no later than thirty (30) Calendar Days after Notice to Proceed)	No greater than 10 percent (10%) of the total installation price identified in selected Vendor's Price Proposal*
Design Approval	WSDOT approval of the following: <ul style="list-style-type: none"> ▪ Preliminary Design Document ▪ System Design Document (SDD) ▪ Labor/Material Cost Breakdown ▪ Master Test Plan ▪ RTCS Infrastructure Requirements Document 	To be completed by Vendor	A single amount to be completed by Vendor*
Factory Acceptance Test	WSDOT approval of the following: <ul style="list-style-type: none"> ▪ Test Procedures ▪ Factory Acceptance Test Report 	To be completed by Vendor	A single amount to be completed by Vendor*
Installation Readiness	WSDOT approval of the following: <ul style="list-style-type: none"> ▪ Installation Plan ▪ Installation Drawings ▪ Shop Drawings ▪ Traffic Management Plan (TMP) ▪ Traffic Incident Management Plan (TIMP) ▪ MOT Plans ▪ Environmental Compliance Plan ▪ SPCC Plan ▪ Any Applicable Permits ▪ Noise Variance 	To be completed by Vendor	A single amount to be completed by Vendor**
Operational Readiness	WSDOT approval of the following: <ul style="list-style-type: none"> ▪ Commissioning Test Report ▪ Interface Control Test Report 	To be completed by Vendor	A single amount to be completed by Vendor**
Tolling Commencement	WSDOT approval of the following: <ul style="list-style-type: none"> ▪ Operational Test Completion Letter 	To be completed by Vendor (shall be no later than November 7, 2010)	A single amount to be completed by Vendor**
System Acceptance	WSDOT approval of the following:	To be completed by Vendor (shall be	No less than 20 percent (20%) of

Table 2 –Toll Collection System Payment Milestones

Milestone	Qualifying Event	Guaranteed Date	Payment Amount
	<ul style="list-style-type: none"> ▪ Operational Test Report ▪ As-built Installation Drawing ▪ As-Built SDD ▪ Maintenance Plan ▪ Documentation described in RFP Appendix 3, Section 2.3 ▪ Certification from Washington State Department of Revenue that all taxes have been paid 	no later than thirty (30) Calendar Days following commencement of tolling on SR 520)	the total installation price identified in selected Vendor's Price Proposal

* The sum of Project Initiation, Design Approval, and Factory Acceptance Test Milestones shall be no more than 40 percent (40%) of the total installation price identified in selected Vendor's Price Proposal.

** The sum of Installation Readiness, Operational Readiness, and Tolling Commencement Milestones shall be no more than 40 percent (40%) of the total installation price identified in selected Vendor's Price Proposal.

e) **Appendix 11 – Price Proposal Tables** – Revise Appendix 11 as follows:

SR 520 Toll Collection System Price Proposal Tables, 6th bullet – Amended as follows:

The Guaranteed Date for Tolling Commencement shall be no later than the Tolling Commencement Date set forth in Appendix 2, Section 9.

f) **Appendix 19 – Contract** – Revise Appendix 19 as follows:

5.1.4. Tolling Commencement. – Replace section 5.1.4 in its entirety as follows:

Subject to the other provisions of this Contract and unless modified in writing by WSDOT, the Guaranteed Date for the Tolling Commencement Milestone shall be the date identified in Section 5.4.3.

5.4.3. Payment and Milestone Schedule. – Replace section 5.4.3 in its entirety as follows:

Milestone	Qualifying Event	Guaranteed Date	Payment Amount
Project Initiation	WSDOT approval of the following: <ul style="list-style-type: none"> ▪ Project Management Plan ▪ Quality Management Plan ▪ Software Development Plan ▪ Project Schedule ▪ Executed Contract Bond ▪ Insurance Certificates 		
Design Approval	WSDOT approval of the following: <ul style="list-style-type: none"> ▪ Preliminary Design Document ▪ System Design Document Labor & Material Cost Breakout <ul style="list-style-type: none"> ▪ Master Test Plan ▪ RTCS Infrastructure Requirements Document 		

Milestone	Qualifying Event	Guaranteed Date	Payment Amount
Factory Acceptance Test	WSDOT approval of the following: <ul style="list-style-type: none"> Test Procedures Factory Acceptance Test Report 		
Installation Readiness	WSDOT approval of the following: <ul style="list-style-type: none"> Installation Plan Installation Drawings Shop Drawings Traffic Management Plan (TMP) Traffic Incident Management Plan (TIMP) MOT Plans Environmental Compliance Plan SPCC Plan Any Applicable Permits Noise Variance 		
Operational Readiness	WSDOT approval of the following: <ul style="list-style-type: none"> Commissioning Test Report Interface Control Test Report 		
Tolling Commencement	WSDOT approval of the following: <ul style="list-style-type: none"> Operational Test Completion Letter 		
System Acceptance	WSDOT approval of the following: <ul style="list-style-type: none"> Operational Test Report As-built Installation Drawing As-Built SDD Maintenance Plan Documentation described in RFP Appendix 3, Section 2.3 Certification from Washington State Department of Revenue that all taxes have been paid 		
TOTAL COMPENSATION (LUMP SUM PRICE)			\$

5.5.1 D. Liquidated Damages. – Replace section 5.5.1D in its entirety as follows:

Vendor agrees to pay to WSDOT liquidated damages for each day Vendor does not achieve Tolling Commencement by the Guaranteed Date set forth in Section 5.4.3 and any Amendment thereto. The amount of liquidated damages that will be assessed shall be \$10,000.00 per day for each day after the Guaranteed Date set forth in Section 5.4.3 that the Tolling Commencement Milestone is not achieved.

- g) **Appendix 20 – Organizational Conflict of Interest Certification, Disclosure and Avoidance/Neutralization Plan** – Add attached Appendix 20 of ACQ-2009-0530-RFP.

ALL OTHER TERMS AND CONDITIONS OF THIS RFP REMAIN IN FULL FORCE AND EFFECT.